



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

~~Applicant~~ : Deak

Appl. No. : 10/764,832

Filed : January 26, 2004

For : MAGNETIC ANNEALING
SEQUENCES FOR PATTERNED
MRAM SYNTHETIC
ANTIFERROMAGNETIC PINNED
LAYERS

Examiner : Joannie A. Garcia

) Group Art Unit 2823

I hereby certify that this correspondence and all marked attachments are being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on

August 2, 2005

Adeel S. Akhtar, Reg. No. 41,394

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Election

In an action mailed July 12, 2005, the Examiner required restriction of prosecution to one of the following species:

Species I "wherein there is annealing using a temporal temperature/magnetic field profile, the profile selected based on a first thickness and a second thickness, as recited in claims 1, 15, and 15 [sic: 16?]; and

Species II “wherein magnetic field conditions are selected for setting a magnetic orientation, the magnetic field conditions selected based on a first thickness and a second thickness, as recited in claim 14.”

In response, Applicants elect, with traverse, to proceed with prosecution on the merits of the first species, represented by Claims 1, 15 and 16.

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Traversal

Applicants, however, traverse the requirement of election based upon the finding of the Examiner that currently no claim is generic. Applicants submit that both species identified by the Examiner select magnetic field conditions based upon first and second thicknesses identified in the various claims. The identified difference by the Examiner between the two species is the specification that the field conditions are characterized by "a temporal temperature/magnetic field profile." Applicants submit that the recitation in Claim 14 of "magnetic field conditions" is generic to the more specific field conditions recited in the Species I claims.

If the Examiner agrees with Applicants' reasoning that Claim 14 is generic to the two species, Applicants respectfully request examination based on Claim 14, Species II, rather than the above election. In other words, if the Examiner agrees that Claim 14 is generic to both identified species, then Applicants respectfully requests reversal of the above election and instead elects Species II with the understanding that all claims will be allowed if generic Claim 14 is allowed.

If the Examiner has any issues with the above election of species, the Examiner is cordially invited to call the undersigned for clarification.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: August 2, 2005

By: Adeel S. Akhtar
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TRANSMITTAL LETTER

INFORMATION DISCLOSURE STATEMENT

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CERTIFICATE OF MAILING

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Adeel S. Akhtar, Reg. No. 41,394

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Enclosed for filing in the above-identified application are:

- (X) A Response to Election of Species Requirement in 2 pages.
- (X) The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 11-1410.
- (X) Return prepaid postcard.

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